

Kittitas County  
CDS  
MAY 23 2008

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**Comments from Neighbors in the Elkhorn Ranch Development  
With Regards to the Land Use Application for the  
Kid's Horse Camp #CU-08-07  
Located at 8190 Secret Canyon Road, Ellensburg**

We are writing this letter in regards to the application for a Kid's Summer Horse Camp in the Elkhorn Ranch Development. We have some very serious concerns about the impact The Camp would have on what is a residential neighborhood.

Some of those concerns are: the very real fire danger; the environmental impact on the Little Caribou stream; the road use on our private road due to increased traffic; the liability issues, security issues, and noise and garbage. These issues have not been addressed adequately with the neighbors in this 31 lot development nor voted on by the 26 current lot owners in the development.

We also feel a number of CC&R's are being violated which we will discuss in more detail also for your consideration. We realize the CC&R's are not relevant to your point of view with regards to this application, however their review reflects the residential aspects of the community and also refers to some of the questions in the application.

First, we feel it is important for you to have a background on our development. Elkhorn Ranch is a private, gated recreational / residential community with protective covenants. It has 31 40-50 acre lots, 26 of which are sold. We have included a plat map so that you can get a sense of this community.

Many lot owners use this as their primary residences, while many others have built recreational homes within the canyon. There is only 1 narrow road the width of one vehicle that winds for 5 miles back into the canyon. See photo.



Though each property is 50 acre lots, very little of each of the 50 acres is usable due to the steep grades and other terrain features which is a key factor in any usage of these lots.

This concludes our brief background of the Elkhorn Ranch Development.

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# PART OF SECTIONS 26, 33, 34 & 35, T. 19 N., R. 20 E., W.M. AND OF SECTIONS 2 & 3, T. 18 N., R. 20 E., W.M.

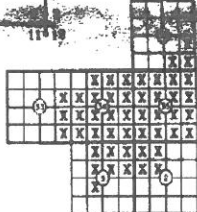
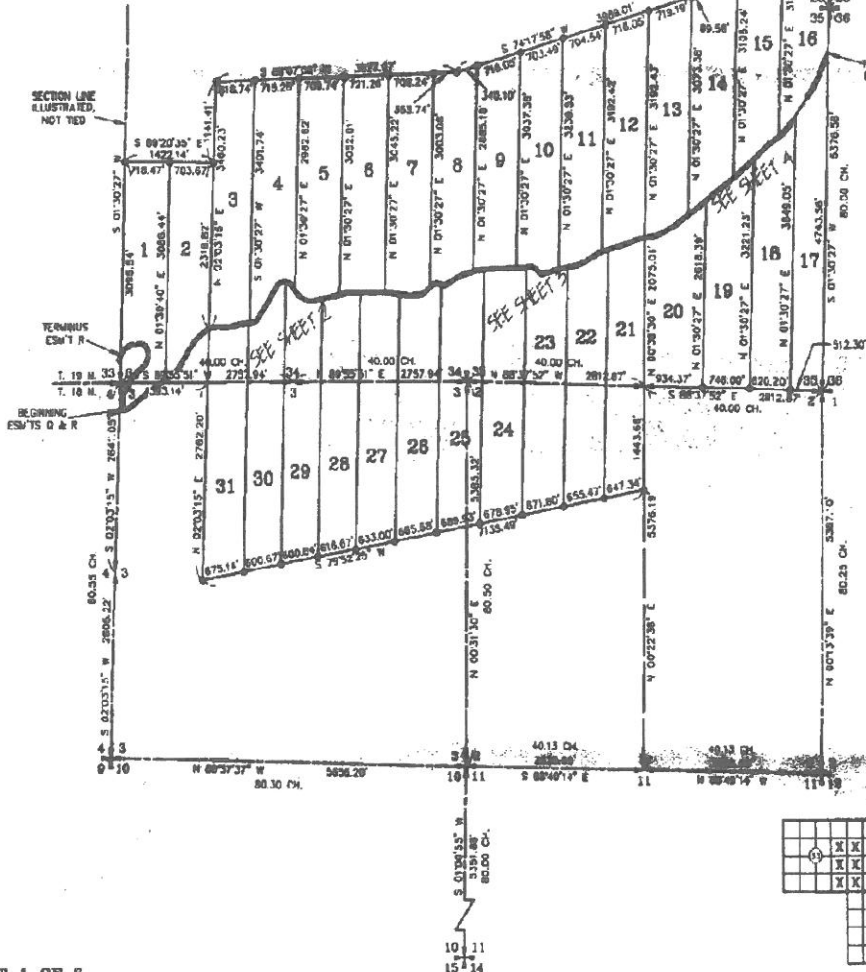


GRAPHIC SCALE



### LEGEND

- 5/8" REBAR W/ YELLOW CAP CRUSE 18078
- FOUND PIN & CAP
- FENCE



SHEET 1 OF 8

**AUDITOR'S CERTIFICATE**  
 Filed for record this 7th day of AUGUST, 2000, at 2:15 P.M. in Book 26 of Surveys at page(s) 29 of the request of Cruse & Nelson.

BEVERLY M. ALDENBAUGH BY: *[Signature]*  
 10TH DISTRICT AUDITOR

**SURVEYOR'S CERTIFICATE**  
 This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of CARIBOU LAND & CATTLE INC. and LANDS ASSOCIATES in JULY of 2000.

*[Signature]* AUGUST 7, 2000  
 CHARLES A. CRUSE, JR.  
 Professional Land Surveyor  
 License No. 18078



**CRUSE & NELSON**  
 PROFESSIONAL LAND SURVEYORS  
 217 East Fourth Street P.O. Box 659  
 Ellensburg, WA 98926 (509) 925 4767

**CARIBOU LAND & CATTLE INC.**  
 & LANDS ASSOCIATES PROP.

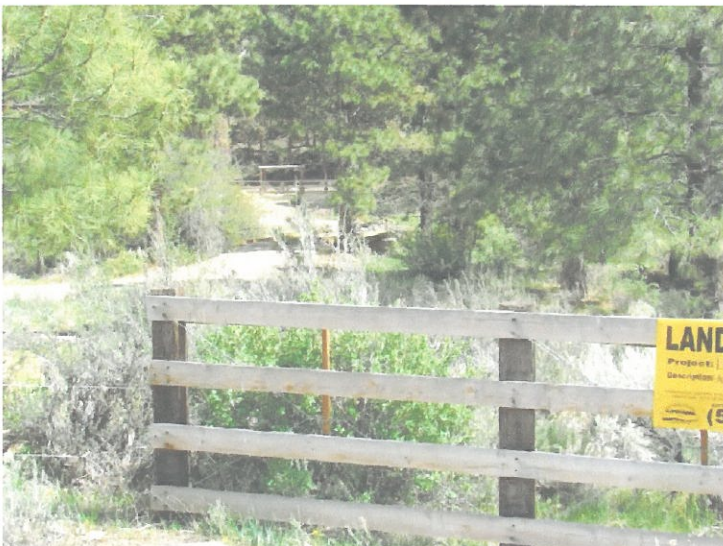
25-18

One of the main issues we have identified is the aspect of fire danger. This is a very real concern for many of us within the Elkhorn Ranch development. It is approximately 12 miles from the nearest fire station to the intersection of Colockum road and Secret Canyon Road, the entrance to our development. This translates to about 25 minutes travel time. After entering the development, there is 5 miles of one-lane road. The Kid's Horse Camp is at the end of the 5 miles of private road, so it would be 17 miles for the fire personnel and vehicles to get to the Camp. Total time of arrival would be at least 45 minutes.



Question #9 on the application A & B relate to this discussion. 9A states: *"The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood."*

A summer camp with its activities, kids being kids, all increases the possibility of fire. We believe that anyone who ever attended camp will have to acknowledge that sneaking out, raiding other cabins and making mischief is part of the experience. Isn't it inevitable that there will be incidents in which kid's are unsupervised? It states in the application that the camp will provide summer work for college students. Are these students going to be adequate supervisors?



We have included photos throughout which are of the applicant's property which identifies the fact that the area is heavily treed and with surrounding undergrowth. The CC&R's do not allow for tree removal.

As neighbors we are extremely concerned at the potential for accidental fire outbreak in the canyon. The potential loss would be in the millions of dollars in homes—and more importantly—life. We believe that the Kid's Horse Camp is detrimental and

could be injurious to the public health, peace and safety. Certainly the 'character of the neighborhood' is residential in direct conflict with any commercial activity.

Question #9 B states: “. . .the proposed location will not be unreasonably detrimental. . .by finding that it will be adequately serviced by existing facilities. . .”

The road is a 1-lane narrow road. Trying to get rescue and fire fighting vehicles into this area would be a serious safety concern. Do we have a plan? How do we get the 12-18 kids and the 12 employees from the camp as well as the other residents out during a fire? How do fire trucks get in if the road is clogged with resident's exiting? See Photo.



Environmentally there are concerns. The Little Caribou seasonal stream is part of the watershed in the Ellensburg area. The stream connects with many other streams and waterways and has an impact on these systems.



The applicant states in his application that he has 150 acres. However, as you can see from the pictures of the area that by far most of this acreage is unusable: it is too steep. We estimate from the contour map for the width of level land surrounding the creek to be about 200'. By our calculations, at the most 15 acres is available for structures, septic, wells and all activities including the pasturing of the horses. The Kid's Horse Camp will need to have 20-30 horses all within 200' of the stream. Livestock manure runoff into the stream is an environmental concern.



With regards to the impact on the private road system, it is only one layer of asphalt approximately 1-1/2" thick. It is arguable if this is indeed a road at all, but rather a 'drive-way'. It is deteriorating at an alarming rate. See photo.



The applicant has proposed he will pick campers up at the gate and deliver them to his property in a van. While this does alleviate traffic from parents on our roadway, it does not include other traffic from the camp. What about employees, food delivery, feed delivery for horses, garbage removal, etc.? He claims it will *"be adequately served by existing roads"* according to the application, #9, B. We disagree. We feel it will have major impact on our road system which is 5 miles long! Our infrastructure is demonstrably fragile as you can see. The homeowner's are solely responsible for it's maintenance.

With regards to liability insurance, **the HOA has none**. There is not an official organization. We are not sure—if with a Kid's Horse Camp in the area—will we be able to get liability insurance for our common areas, which include the road. As homeowners, we are also not sure if this will affect our individual insurance policies.

This puts all of us at serious personal and communal financial risk!

Noise is another issue which hasn't been addressed. Being a closed-in canyon, noise carries for long distances within the development.

With regards to security, our development is a private, gated community intended to be highly secure. Inviting the public into our community is not the intent. Many of us have only vacation homes here and the security of our properties is a primary concern.

In the following comments, we'd like to reference the CC&R's which we believe illustrate that the Horse Camp violates. Again, we realize the CC&R's don't affect the application from the County's point of view. However they do reflect the interests, desires and aspirations of the surrounding land owners and their reasonable expectations for the land they bought to remain residential, private and secure.

CC&R's state clearly:

Background; Section B: "Declarant desires to develop a recreational/residential development which shall include a private wildlife refuge and conservancy..."

*The words 'Private wildlife refuge' are important here. How is the Horse Camp promoting this for our community? We think instead, it is not promoting this ideal.*

Background; Section E: "...Property. . . shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions . . . which are or may be imposed for the purpose of protecting the value and desirability of the Property. . . to the benefit of all parties . . ."

*We don't believe the Horse Camp 'Protects the value and desirability of our properties'. We don't think it is 'to the benefit of all parties'. This could impact property values and our ability for resale.*

Articles IX: Protective Covenants; Section 1: "Recreational/Residential Use. Lots shall be used solely for recreational and residential use except as provided for in this Article."

*We believe this clearly identifies intended usage of these 31 lots.*

Section 14: Commercial Enterprises. "No commercial enterprises are allowed, except as approved by the Board of Directors. And, the Board of Directors shall have no authority to approve any commercial enterprise other than that which would be commensurate with the development of Elk Horn Ranch under the terms of this Declaration. It is anticipated that some lots may be used as a bed and breakfast residence; small guest ranch, or for other equestrian activities, i.e., breeding, training and the like. Only these enterprises are approved. . ."

*This is the section the applicant has referred to in the statements he has issued to the other homeowners in support of his proposed camp. In our opinion, any commercial enterprise is restricted to the owners' running it. In other words: no employees. That's how a bed and breakfast and a small guest ranch would be run in our opinion. The owner's would do*

*it. The horse camp is anticipating 4 full time and 8 part time employees. We believe this is also a violation of covenants and not compatible with Elkhorn Ranch CC&R's.*

Section 17. Wildlife. "As set forth in Declarant's Declaration, the purpose of the development is to provide for residences on 40 acre or larger lots while at the same time protecting and enhancing the preservation of wildlife and the natural environmental features of the property."

*Clearly this is the definition of our private development. It states that the 'development is to provide for 'residences' for 'protecting and enhancing the preservation of wildlife' and the 'natural environmental features'.*

Section 27. Guest Limit. "No lot owner shall allow more than 10 guests to use trails and facilities without prior approval of the Board of Directors."

*Here the covenant's clearly state that there shall be no more than 10 guests. With employees and kids, the Horse Camp could have as many as 30 'guests', every week, all summer long.*

## **In Conclusion**

Elkhorn Ranch is a private, gated recreational / residential community with protective covenants. The proposed youth camp is a much larger enterprise than what is permitted or envisioned under the covenants. It is dramatically inconsistent with the character of our private community and raises serious issues of security, liability and expense impacting all residents. We respectfully request that our private community be honored, and the camp application be denied.

Thank you for your consideration.

Meghan and Robin Anderson	Lot 9	253-302-3430
Matthew and Rebecca Bergman	Lots 22 & 23	
Greg and Barb Tudor	Lot 1	509-968-4776
Scott and Sharon Lumsden	Lots 30 & 31	509-968-3889